

**EXECUTIVE ORDERS, PROCLAMATIONS OF  
GENERAL APPLICABILITY, AND STATEMENTS  
ISSUED BY THE GOVERNOR  
PURSUANT TO A.R.S. § 41-1013(B)(3)**

The Administrative Procedure Act (APA) requires the full-text publication of all Executive Orders and Proclamations of General Applicability issued by the Governor. In addition, the *Register* shall include each statement filed by the Governor in granting a commutation, pardon or reprieve, or stay or suspension of execution where a sentence of death is imposed. With the exception of egregious errors, content (including spelling, grammar, and punctuation) of these orders has been reproduced as submitted.

**EXECUTIVE ORDER 2012-01  
Transaction Privilege Tax Simplification Task Force**

[M12-186]

**WHEREAS**, Arizona has one of the most complex transaction privilege tax (TPT, commonly identified as the sales tax) systems in the country;

**WHEREAS**, taxpayers have expressed very clearly their desire to see reforms enacted that will modernize and simplify the TPT;

**WHEREAS**, it is in the interest of taxpayers and state and local governments to make the tax code easier to understand, comply with, and administer.

**NOW THEREFORE, I**, Janice K. Brewer, Governor of the State of Arizona, by virtue of the power vested in me by the Constitution and the laws of the State, do hereby establish the Transaction Privilege Tax Simplification Task Force ("Task Force") and order as follows:

Membership of the Task Force shall include but not be limited to the following:

- 1) An expert in TPT collections and audit representing a municipality that participates in the DOR sales tax program
- 2) An expert in TPT collections and audit representing a municipality that does not participate in the DOR sales tax program
- 3) A representative of a statewide organization of cities and towns with expertise in TPT
- 4) A representative of a statewide taxpayer organization with expertise in TPT
- 5) A tax practitioner representing the private sector with experience in TPT in multiple jurisdictions within this State
- 6) A person who is a member of a statewide organization of small businesses
- 7) A tax practitioner representing a retail company with experience in TPT in multiple jurisdictions within this state
- 8) A member of a private sector business organization with knowledge of both public and private finance
- 9) The Governor of the State of Arizona or her designee, who shall serve as chairman of the Task Force.

The following members shall serve as non-voting advisory members:

- 10) The Director of the Department of Revenue or his designee
  - 11) A member of the Arizona State Senate
  - 12) A member of the Arizona House of Representatives
1. The Governor shall appoint all members of the Task Force, and in the Governor's sole discretion may appoint additional voting or non-voting members with knowledge and experience in TPT.
  2. The Task Force may engage subject-matter experts to offer professional advice regarding measures that can be taken, both legislative and administrative, to simplify the TPT in order to make this area of the tax code easier to understand, comply with, and administer.
  3. The Task Force is charged with reviewing, identifying, or developing proposals that would simplify the TPT code and TPT practice in order to alleviate taxpayer frustration, improve compliance, and avoid redundancies. Specific areas of focus shall include, but not be limited to:
    - a. options for a single point administration to avoid redundancies;
    - b. identification of differences between state statute and the Model City Tax Code; and
    - c. standardization of definitions of taxable transactions between taxing authorities.

**Governor's Executive Orders/Proclamations**

4. The Governor or her designee may appoint subcommittees when appropriate.
5. The Task Force shall provide its recommendations of any statutory, administrative, or procedural changes to the Governor, the Speaker of the House of Representatives, and the President of the State Senate, no later than December 31, 2012.

**IN WITNESS WHEREOF**, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Arizona

**Janice K. Brewer**  
**G O V E R N O R**

**DONE** at the Capitol in Phoenix, Arizona this 11th day of May in the year Two Thousand Twelve and of the Independence of the United States of America the Two Hundred and Thirty-sixth.

**ATTEST:**  
**Ken Bennett**  
**Secretary of State**

**\* BUILDING SAFETY MONTH \***

[M12-161]

**WHEREAS**, building safety affects many aspects of life, and through the enforcement of construction codes, people enjoy the comfort of structures that are safe and sound; and

**WHEREAS**, the dedicated members of the International Code Council, in partnership with building and fire prevention officials, architects, engineers, and others in the construction industry, develop and enforce the codes that safeguard Americans in the buildings where we live, work, play and learn; and

**WHEREAS**, construction codes provide safeguards to protect the public from natural disasters that can occur all across the country, including snowstorms, hurricanes, tornadoes, wildland fires, and earthquakes, and construction codes also work to minimize other potential building catastrophes; and

**WHEREAS**, Building Safety Month, is an opportunity to educate the public and to increase public awareness of the role building safety and fire prevention-officials, local and state building departments, and federal agencies play in the first line of defense to protect the public; and

**WHEREAS**, this year's theme, "An International Celebration of Safe and Sensible Structures" encourages all Americans to raise awareness of the importance of building safety; disaster-resistant, energy efficient, green and sustainable building; and new technologies in the construction industry; and

**WHEREAS**, this year, as we observe Building Safety Month, we ask everyone to consider projects to improve building safety and sustainability at home and in the community, and to acknowledge the essential service provided by local and state building departments and federal agencies in protecting lives and property.

**NOW, THEREFORE, I**, Janice K. Brewer, Governor of the State of Arizona, do hereby proclaim May 2012 as

**\* BUILDING SAFETY MONTH \***

**IN WITNESS WHEREOF**, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Arizona

**Janice K. Brewer**  
**G O V E R N O R**

**DONE** at the Capitol in Phoenix on this twentieth day of April in the year Two Thousand and Twelve, and of the Independence of the United States of America the Two Hundred and Thirty-sixth.

**ATTEST:**  
**Ken Bennett**  
**Secretary of State**

**Arizona Administrative Register / Secretary of State**  
**Governor's Executive Orders/Proclamations**

---

**\* CELIAC DISEASE AWARENESS MONTH \***

[M12-153]

**WHEREAS**, celiac disease is a serious chronic condition that affects men, women and children; and

**WHEREAS**, celiac disease, a genetic autoimmune disease, affects three million people in the United States; and

**WHEREAS**, 200,000 people have been diagnosed with celiac disease and it is estimated that nearly 95 percent of Americans with celiac disease remain undiagnosed; and

**WHEREAS**, the length of time for an adult to be diagnosed with celiac disease is six years from the onset of symptoms, and failure to diagnose celiac disease can lead to the onset of other autoimmune disorders including rheumatoid arthritis, systemic lupus, and Sjögren's Syndrome; and

**WHEREAS**, the only known treatment for celiac disease is strict adherence to a gluten-free diet; and

**WHEREAS**, increased recognition and awareness of celiac disease will have a significant positive impact on the quality of life of people with celiac disease.

**NOW, THEREFORE, I**, Janice K. Brewer, Governor of the State of Arizona, do hereby proclaim May 2012 as

**\* CELIAC DISEASE AWARENESS MONTH \***

**IN WITNESS WHEREOF**, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Arizona

**Janice K. Brewer**  
**G O V E R N O R**

**DONE** at the Capitol in Phoenix on this twentieth day of April in the year Two Thousand and Twelve, and of the Independence of the United States of America the Two Hundred and Thirty-sixth.

**ATTEST:**  
**Ken Bennett**  
**Secretary of State**

**\* CHILDREN'S MENTAL HEALTH AWARENESS WEEK \***

[M12-160]

**WHEREAS**, addressing the mental health needs of children, youth, and families is fundamental to the future of the State of Arizona; and

**WHEREAS**, one in five children suffer from an identified mental health need and half of all lifetime afflictions of mental illness begin by age 14; and

**WHEREAS**, one in ten children has a serious disorder which, if untreated, can lead to failure in school, addiction, and even suicide; and

**WHEREAS**, the Arizona Department of Health Services Division of Behavioral Health and many national and local partner organizations celebrate Children's Mental Health Awareness Week each year in May to raise awareness of the mental health needs of children, youth, and families in our community; and

**WHEREAS**, it is appropriate that a week should be set aside each year to reaffirm our collaborative efforts in supporting our children's mental health and well-being; to promote positive youth development, resilience, and the transformation of mental health service delivery for children, youth, and their families; and to show how children with mental health needs thrive in their communities.

**NOW, THEREFORE, I**, Janice K. Brewer, Governor of the State of Arizona, do hereby proclaim May 6 – 12, 2012 as

**\* CHILDREN'S MENTAL HEALTH AWARENESS WEEK \***

**Governor's Executive Orders/Proclamations**

and urge our citizens, government agencies, public and private institutions, businesses, and schools in Arizona, to unite in the observance of such exercises that will acquaint the people of our State with the fundamental necessity for comprehensive services for children and youth with mental health needs.

**IN WITNESS WHEREOF**, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Arizona

**Janice K. Brewer**  
**G O V E R N O R**

**DONE** at the Capitol in Phoenix on this twentieth day of April in the year Two Thousand and Twelve, and of the Independence of the United States of America the Two Hundred and Thirty-sixth.

**ATTEST:**  
**Ken Bennett**  
**Secretary of State**

**\* CORRECTIONAL OFFICERS WEEK \***

[M12-162]

**WHEREAS**, Arizona's correctional officers ensure the safety and well being of inmates every hour of every day of the year; and

**WHEREAS**, Arizona's correctional officers are exceptional educators, motivators, and communicators who routinely avert negative occurrences and successfully intervene in challenging circumstances; and

**WHEREAS**, Arizona's correctional officers demonstrate strong leadership ability in encouraging adult inmates and juvenile offenders to be accountable for their conduct and responsible for their decisions preparing them to rejoin society successfully; and

**WHEREAS**, correctional officers share many roles and provide many services but it is their dedication and bravery that sets them apart; and

**WHEREAS**, the State of Arizona is pleased to join with officials and citizens in recognizing the achievements of these public servants, and are indebted to them for their continuing service and dedication.

**NOW, THEREFORE, I**, Janice K. Brewer, Governor of the State of Arizona, do hereby proclaim May 6 – 12, 2012 as

**\* CORRECTIONAL OFFICERS WEEK \***

**IN WITNESS WHEREOF**, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Arizona

**Janice K. Brewer**  
**G O V E R N O R**

**DONE** at the Capitol in Phoenix on this twentieth day of April in the year Two Thousand and Twelve, and of the Independence of the United States of America the Two Hundred and Thirty-sixth.

**ATTEST:**  
**Ken Bennett**  
**Secretary of State**

**\* FOOD ALLERGY AWARENESS WEEK \***

[M12-163]

**WHEREAS**, hundreds of Americans die each year due to food-induced hypersensitivity resulting from eating a food containing an ingredient to which they were allergic; and

**WHEREAS**, anaphylaxis is a sudden, severe allergic reaction involving major organs in the body simultaneously and, in severely allergic individuals, causing death in a matter of minutes; and

**WHEREAS**, researchers estimate up to 15 million Americans have food allergies, of which children are the largest group; and

*Arizona Administrative Register / Secretary of State*  
**Governor's Executive Orders/Proclamations**

---

**WHEREAS**, shellfish, fish, milk, eggs, tree nuts, peanuts, soy, and wheat cause 90 percent of food allergy reactions. Food allergy symptoms can include hives, vomiting, diarrhea, respiratory distress, and swelling of the throat; and

**WHEREAS**, eating in restaurants and at school are situations that pose the highest risk for people with food allergies, and strict avoidance of the offending food is the only way to avoid a reaction, as there is currently no cure for food allergies.

**NOW, THEREFORE, I**, Janice K. Brewer, Governor of the State of Arizona, do hereby proclaim May 13 – 19, 2012 as

**\* FOOD ALLERGY AWARENESS WEEK \***

**IN WITNESS WHEREOF**, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Arizona

**Janice K. Brewer**  
**G O V E R N O R**

**DONE** at the Capitol in Phoenix on this twentieth day of April in the year Two Thousand and Twelve, and of the Independence of the United States of America the Two Hundred and Thirty-sixth.

**ATTEST:**  
**Ken Bennett**  
**Secretary of State**

**\* FOSTER CARE AWARENESS MONTH \***

[M12-164]

**WHEREAS**, all children deserve to grow up safe, loved and well-cared for; and

**WHEREAS**, we honor foster parents who have demonstrated the depth and kindness of the human heart and thank those families that have strengthened Arizona by caring for children and youth in foster care; and

**WHEREAS**, Foster Care Awareness Month is a time for all Arizonans to show their support in ensuring a bright future for Arizona's children and youth in foster care by recognizing the people who take on the joys and responsibilities of parenthood, as well as fulfill the dreams of children who seek a stable and supportive family; and

**WHEREAS**, foster families offer children strong support structures which are needed to learn, grow, and reach their greatest potential; and

**WHEREAS**, permanence is critical to the future success of foster youth and must be a key component of foster care initiatives; and

**WHEREAS**, the need for more foster parents is great as there are currently more than 11,500 children in Arizona in need of a foster home; and

**WHEREAS**, throughout the year, Arizona strives to fulfill the dreams of thousands of children by working with partners in the community, including courts, judges, attorneys, adoption professionals, child welfare agencies, advocates, community and faith-based organizations and others to provide safety and stability for children in foster care.

**NOW, THEREFORE, I**, Janice K. Brewer, Governor of the State of Arizona, do hereby proclaim May 2012 as

**\* FOSTER CARE AWARENESS MONTH \***

**IN WITNESS WHEREOF**, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Arizona

**Janice K. Brewer**  
**G O V E R N O R**

**DONE** at the Capitol in Phoenix on this twentieth day of April in the year Two Thousand and Twelve, and of the Independence of the United States of America the Two Hundred and Thirty-sixth.

**Governor's Executive Orders/Proclamations**

**ATTEST:**  
**Ken Bennett**  
Secretary of State

**\* MOTORCYCLE SAFETY AND AWARENESS MONTH \***

[M12-154]

**WHEREAS**, motorcycle riding is a popular form of recreation and transportation for thousands of people across Arizona and our Nation; and

**WHEREAS**, the safe operation of a motorcycle requires the use of special skills developed through a combination of training and experience, the use of good judgment, and through knowledge of traffic laws and licensing requirements; and

**WHEREAS**, it is especially important that the residents of Arizona be aware of motorcycles on the streets and highways and recognize the importance of motorcycle safety; and

**WHEREAS**, all highway users are being encouraged to safely share the roadway throughout Arizona.

**NOW, THEREFORE, I**, Janice K. Brewer, Governor of the State of Arizona, do hereby proclaim May 2012 as

**\* MOTORCYCLE SAFETY AND AWARENESS MONTH \***

**IN WITNESS WHEREOF**, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Arizona

**Janice K. Brewer**  
**G O V E R N O R**

**DONE** at the Capitol in Phoenix on this twentieth day of April in the year Two Thousand and Twelve, and of the Independence of the United States of America the Two Hundred and Thirty-sixth.

**ATTEST:**  
**Ken Bennett**  
Secretary of State

**EXECUTIVE ORDER 2011-05**

**State Regulatory Rule Making Review and Moratorium To Promote Job Creation and Retention**

*Editor's Note: This Executive Order is being reproduced in each issue of the Administrative Register until its expiration on June 30, 2012 as a notice to the public regarding state agencies' rulemaking activities.*

[M11-234]

**WHEREAS**, my first official action as Governor was to institute a regulatory rule making review and moratorium process ("regulatory review and moratorium") in order to prevent additional and unnecessary burdens on our private sector employers and political subdivisions; and

**WHEREAS**, other states have since implemented regulatory reviews and moratoriums; and

**WHEREAS**, the economic climate in Arizona continues to challenge both those seeking employment and our employers, who are the key to increasing job opportunities in this State; and

**WHEREAS**, a predictable regulatory climate in this State will promote job creation and retention; and

**WHEREAS**, the Legislature enacted the regulatory review and moratorium for fiscal year 2009 - 2010 by passing House Bill 2008 in the 2009 Third Special Session; and

**WHEREAS**, the Legislature continued the regulatory review and moratorium for fiscal year 2010 - 2011 by passing House Bill 2260 in the 2010 Second Regular Session; and

**WHEREAS**, the current regulatory review and moratorium expires on June 30, 2011; and

**WHEREAS**, the expiration of the current regulatory review and moratorium could result in a regulatory explosion detrimental to job creation and retention in this State; and

**Arizona Administrative Register / Secretary of State**  
**Governor's Executive Orders/Proclamations**

---

**NOW, THEREFORE**, I, Janice K. Brewer, Governor of the State of Arizona, by virtue of the authority vested in me by the Constitution and laws of this State, hereby declare that for fiscal year 2011-2012 ending June 30, 2012, the following:

1. A state agency, subject to this Order pursuant to Paragraph 4, shall not conduct any rule making except as permitted by this Order. The objective of this Order is eliminate any unnecessary increased monetary or regulatory costs on employers, persons, individuals, other state agencies, or political subdivisions of this State. This prohibition includes any informal rule making prior to the commencement of the formal rule making process.
2. Paragraph 1 does not apply to state agency rule making for any one or more of the following reasons:
  - a. To fulfill an objective related to job creation in this State.
  - b. To lessen or ease a regulatory burden while achieving the same regulatory objective.
  - c. To prevent a significant threat to the public health, peace or safety.
  - d. To avoid a violation of a court order or federal law that would result in sanctions by a court or federal government against an agency for failure to conduct the rule making action.
  - e. To comply with a federal statutory or regulatory requirement or a state statutory requirement if the applicable statute or regulation contains a date certain for compliance on or before December 31, 2012 or is necessary under subparagraph (c) of this Paragraph.
  - f. To fulfill an obligation related to fees or any other action necessary to implement the state budget that is certified by the Governor's Office of Strategic Planning and Budgeting.
  - g. To promulgate a rule or other item that is exempt from title 41, chapter 6, Arizona Revised Statutes, pursuant to section 41-1005, Arizona Revised Statutes.
  - h. To address matters pertaining to the control, mitigation or eradication of waste, fraud or abuse within a state agency or wasteful, fraudulent or abusive activities perpetrated against a state agency.
3. A state agency, subject to this Order pursuant to Paragraph 4, shall not conduct any informal or formal rule making pursuant to Paragraph 2 or otherwise without the prior written approval of the Office of the Governor.
4. This Order applies to all state agencies, except for: (a) any state agency that is headed by a single elected state official, (b) the corporation commission, or (c) any state agency whose agency head is not appointed by the Governor.
5. All state officials and state agencies that are not subject to this Order pursuant to Paragraph 4 are encouraged to participate voluntarily within the context of their own rule making processes.
6. State agencies may continue a rule making that was authorized by the Office of the Governor on or after January 22, 2009. All state agencies, subject to this Order pursuant to Paragraph 4, shall report to the Office of Governor by July 29, 2011 all pending rule makings and any pending requests to the Office of Governor for rule making.
7. This Order does not confer any legal rights upon any persons and shall not be used as a basis for legal challenges to rules, approvals, permits, licenses or other actions or to any inaction of a state agency.
8. For the purposes of this executive order, "person", "rule" and "rule making" have the same meanings prescribed in section 41-1001, Arizona Revised Statutes.

**IN WITNESS WHEREOF**, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Arizona

**Janice K. Brewer**  
**G O V E R N O R**

**DONE** at the Capitol in Phoenix, Arizona this 30th day of June in the year Two Thousand Eleven and of the Independence of the United States of America the Two Hundred and Thirty-fifth.

**ATTEST:**  
**Ken Bennett**  
**Secretary of State**